

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA  
HUNTINGTON DIVISION**

**THE CITY OF HUNTINGTON,**

**Plaintiff,**

**v.**

**Civil Action No. 3:17-cv-01362  
(Judge Chambers)**

**AMERISOURCEBERGEN DRUG  
CORPORATION, CARDINAL HEALTH  
INC., MCKESSON CORPORATION and  
GREGORY DONALD CHANEY, M.D.,**

**Defendants.**

**DEFENDANT MCKESSON CORPORATION'S MOTION FOR  
JUDGMENT ON THE PLEADINGS**

Defendant, McKesson Corporation ["McKesson"], by counsel, respectfully moves, pursuant to Fed R. Civ. P. 12(c), for judgment on the pleadings dismissing the Complaint of Plaintiff, The City of Huntington, as to McKesson.

As set forth more fully in the accompanying memorandum of law, Plaintiff's Complaint fails to state a legal claim against McKesson upon which relief can be granted.

WHEREFORE, Defendant, McKesson Corporation, respectfully requests the Court to GRANT its motion and to ORDER that the Complaint of Plaintiff, The City of Huntington, be DISMISSED as to McKesson with prejudice.

**MCKESSON CORPORATION  
By Counsel**

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**CERTIFICATE OF SERVICE**

I, Jeffrey M. Wakefield, Esquire, do hereby certify that on the 15<sup>th</sup> day of March, 2017, I served the foregoing **“DEFENDANT MCKESSON CORPORATION’S MOTION FOR JUDGMENT ON THE PLEADINGS”** upon the parties hereto by depositing a true copy thereof via ECF to the following counsel of record:

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